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DE RUEHBO #3580/01 2672258
ZNR UUUUU ZZH
P 232258Z SEP 08
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC PRIORITY 4898
INFO RUEHCV/AMEMBASSY CARACAS PRIORITY 1051
RUEHLP/AMEMBASSY LA PAZ SEP 9675
RUEHPE/AMEMBASSY LIMA PRIORITY 6582
RUEHQT/AMEMBASSY QUITO PRIORITY 7259
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 4593
RUEAIIA/CIA WASHDC PRIORITY
RUEAWJC/DEPT OF JUSTICE WASHDC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

UNCLAS BOGOTA 003580

SIPDIS

E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [CO](#)

SUBJECT: QUARTERLY HUMAN RIGHTS CERTIFICATION CONSULTATION
FOCUSES ON NEW CRIMINAL GROUPS/PARAMILITARIES

¶1. Summary: Post's quarterly human rights consultations focused on new criminal groups and so-called paramilitary structures. Many participants asserted that the armed criminal groups which continue to operate in many areas represent a continuation of the former paramilitary blocks. Others contended that with a few exceptions, the new groups lack the military structure, capability, and ostensible counterinsurgency purpose that characterized the paramilitaries. The new groups largely focus on narcotrafficking, extortion, and other crimes and should be seen as organized crime. Still, all agreed that whatever the label, the groups corrupt local institutions and businesses, harm local residents, and in some instances target civil society leaders. The International Crisis Group (ICG) recognized that the GOC has taken steps to combat the groups, but said it needs to devote more police resources against criminal leaders and local corruption. The Colectivo de Abogados said the GOC should use the Justice and Peace Law (JPL) process to aggressively pursue the economic and political supporters of the former paramilitaries. End Summary

¶2. On September 10, we hosted our quarterly consultations with human rights groups, focusing on new criminal groups and paramilitaries. Attendees included: Mauricio Albarracin of Comision Colombiana de Juristas (CCJ), Markus Schultz Kraft of the International Crisis Group (ICG), Agustin Jimenez of the Committee in Solidarity with Political Prisoners (CSPP), Alberto Yepes of Coordinacion Colombia Europea, Rafael Barrios of Colectivo de Abogados, Gloria Flores of Asociacion para la Promocion Social Alternativa (MINGA), Luz Stella Aponte of Fundacion Reiniciar, Yimi Munoz of Comision de Justicia yPaz, Mario Gomez of Fundacion Restrepo Barco, Geilar Romana of Asociacion de Afrocolombianos Desplazados (AFRODES), and Carlos Garaviz of the Jesuit-run Centro de Investigacion y Educacion Popular (CINEP).

PARAMILITARIES VERSUS NEW CRIMINAL GROUPS

¶3. Several participants, including CINEP's Carlos Garaviz and CSPP's Agustin Jimenez, asserted that the armed criminal groups that continue to operate in many areas represent a continuation of the previous paramilitary structures. Garaviz noted that Daniel Rendon (Don Mario), a major narcotrafficker in Antioquia and Cordoba departments, is a former paramilitary and controls the same territory previously dominated by the Elmer Cardenas Block. Jimenez claimed that, like the former paramilitaries, the new groups

corrupt democratic institutions and attack political opposition leaders, unionists, and human rights defenders. He added that in many areas, the new groups advance the same economic and political interests that supported the paramilitaries. Afrodes' Geiler Romana noted that in Jiguamiando and Curvarado in Choco department, armed groups defend the same African palm companies that were protected by the paras. Jimenez added that in departments such as Meta, the Santander, and Antioquia, the new groups receive substantial support from GOC security forces.

¶4. ICG's Markus Schultz Kraft agreed many criminal groups continue the same activities as the former paramilitaries. He proposed four criteria to determine if a new group should be viewed as a paramilitary force or as a form of organized crime: support from local security forces; ties to local political and economic elites; participation by former paramilitaries in leadership posts and other key roles; and ties to narcotraffickers and other organized criminal groups.

Schultz Kraft noted that in some regions, local security forces continue to use the criminal groups to combat the FARC, ELN, and other criminal groups. Still, in contrast to the former paramilitaries, many new criminal groups also cooperate with the FARC and ELN on drug shipments and coca cultivation.

¶5. Fundacion Restrepo Barco representative Mario Gomez doubted that the new criminal groups should be considered paramilitaries, noting that they lack the military structure, armed capacity, and counterinsurgency agenda that characterized the former United Self-Defense Forces of Colombia (AUC). He said that after the paramilitary

demobilization, civilian deaths fell sharply in regions where the AUC was present. The new groups operate in many of the same areas as the AUC because that is where the coca is, Gomez declared.

SIZE, IMPACT ON INSTITUTIONS AND CIVILIANS

¶6. Alberto Yepes of Coordinacion Colombia Europea claimed that so-called paramilitary groups number between 6500-10,000 members and operate in 24 departments. He alleged that Don Mario maintains 3000 armed men in Cordoba, Antioquia, and Choco, while Pedro Guerrero (Cuchillo) has a similar force in Meta. Both operate extensive narcotrafficking networks, exercise control over local residents, and benefit from collusion with security and municipal officials. Yepes said the "Aguilas Negras" criminal group is a major problem in Bogota, Barranquilla, Barrancabermeja, Curvarado, and parts of Valle de Cauca. MINGA's Gloria Florez voiced concern that so-called paramilitaries are acquiring significant political and economic influence through their penetration of legal businesses. She said the groups also dominate pyramid financial schemes, gambling, and other quasi-legal activities. Luz Aponte of Reiniciar cited Don Mario's penetration of the Medellin Prosecutor General's Office (Fiscalia) as an example of so-called paramilitary groups' continued influence.

GOC RESPONSE

¶7. Schultz Kraft acknowledged that the GOC has scored some important successes against the new criminal groups, but called the overall GOC response inadequate. The GOC needs to dedicate increased police resources to the pursuit of new criminal groups leaders, and should also initiate more programs to combat corruption in local institutions. Florez and Jimenez questioned the GOC's commitment to fighting the new groups, citing the GOC's failure to investigate the major economic and political supporters of the AUC. Jimenez charged that the economic and financial networks that sustained the AUC continue to operate through the new groups, and called for international pressure to push the GOC to investigate and dismantle these networks. Florez said the Fiscalia needs to be more aggressive in following up on the testimony provided by paramilitaries participating in the

Justice and Peace Law process.

18. Victims' rights advocate Yimi Munoz complained that the Ministry of Interior and Justice only extends its protection program to individuals threatened by the FARC, ELN, and paramilitary groups. It does not include individuals threatened by criminal groups, unless they are also witnesses. All groups urged that the MOIJ program be extended to any at-risk individual. (We subsequently confirmed with MOIJ Director of Protection Program Rafael Bustamente Cruz that individuals threatened by criminal groups are already included in its program).

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